

EXPRESS MAIL LABEL NO.: EV 610007340 US

## MAIL STOP PETITION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of: :  
 KYL L. SMITH :  
 :  
 Conf. No.: Not Yet Assigned : Group Art Unit: Not Yet Assigned  
 :  
 Appln. No.: Not Yet Assigned : Examiner:  
 :  
 Filing Date: Filed simultaneously :  
 herewith :  
 :  
 International Appln No.: PCT/US02/21062 :  
 :  
 International Filing Date: July 3, 2002 : Attorney Docket No.: 681132-2US  
 :  
 Title: COMPOSITIONS FOR IMPROVING MENTAL PERFORMANCE

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
 ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)**

This Petition is being submitted to revive the above-identified International Application which became abandoned for failure to file a U.S. National Phase application under Chapter II of the PCT or a U.S. Continuation Application under 35 U.S.C. §§ 365(c); 111(a) and 37 C.F.R. § 1.53(b). This Petition is being submitted on the ground that the entire delay in filing the U.S. National Phase application or such U.S. Continuation Application from the due date for such filing until the filing of this Petition was unintentional.

The documents necessary for filing a U.S. National Phase application under 35 U.S.C. § § 371; 365(c) and 111(a) and 37 C.F.R. § 1.53(b) are enclosed herewith.

☒ Our firm's check for \$685.00 for the Petition fee under 37 C.F.R. § 1.17(m) is enclosed herewith; or

☒ This authorization to charge our firm's Deposit Account No. 50-1017 (Billing No. 681132.0002).

☐ Petition fee \$685.00 set forth in 37 C.F.R. § 1.17(m);

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☐ Filing fees for U.S. National Phase Application are enclosed with the Form PTO-1390 Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) concerning a filing under 35 U.S.C. § 271;

☒ Any overpayments or deficiencies in the above-noted fee.

**One additional copy of this paper is enclosed for accounting purposes.**

Reinstatement of the International application for the purpose of copendency with the enclosed requested U.S. Continuation Application, and acceptance of the filing of the enclosed U.S. Continuation application claiming priority therefrom are respectfully requested..

Respectfully submitted,

KYL L. SMITH

12/7/04  
(Date)

By:

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LLC:cmb:llc

Enclosures